

LIMITED COMPETITION PROCUREMENTS

- by -

JAMES SCARBORO, CPM, AAP, CPPC, CPR

Date: October 22, 2007
Time: 2:30 p.m. to 3:30 p.m.
Location: Radisson Poco Diablo Resort
Sedona, Arizona

Welcome

Objectives

Source Selection

Limited Competition

Sole Source

Emergency

Competition
Impracticable

Review

Questions

Adjourn

Welcome

Introductions

Phones / Pagers

Questions

Facilities

Target Audience

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Objectives

1. Source Selection Approaches
2. Limited Competition Options
3. Sole Sources
4. Emergencies
5. Competition Impracticables

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Source Selection

Agency has a requirement for
products and services...

A. Use EXISTING contract

B. Create NEW contract

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Source Selection

1. Create using FULL competition
2. Create using LESS THAN FULL competition
3. Create using SPECIAL competition

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NO
Competition

Interagency Service Agreement (ISA)
Intergovernmental Agreements (IGA)
Sole Source Procurements

FEASIBLE
Competition

Emergency Procurements
Competition Impracticable Procurements

MINIMUM
Competition

Reasonable Judgment
Request for Quotes (RFQ)

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Purpose

Authorization to enter into a contract without competition as no competition reasonably exists

Benefits

Administrative efficiency; no wasted efforts conducting symbolic competition

Risks

Exposure to recourse from parties inappropriately excluded from competition

Frequency

Very rare, avoid if all possible

R.O.T.

“No one to compete with – document evidence”

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Sole Source Procurements

Criteria

- No other source exists
- Other sources are not reasonably available

e.g., Instead of purchasing an item from a sole source, we could seek competition and contract for the development of a similar item – development cost, time, and risk may make this approach unreasonable.

Examples

Very rare, avoid if all possible

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Emergency Procurements

Purpose

Authorization to enter into a contract with less competition than normal due to an emergency

Benefits

Responsiveness; attend to immediate needs, seeking competition if possible, authorize afterwards if necessary

Risks

Exposure to recourse from parties inappropriately excluded from competition

Frequency

Rare, use only when necessary

R.O.T.

“No time to compete fully – seek reasonable competition if possible, document afterwards”

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Emergency Procurements

Criteria

Serious and IMMEDIATE threats to:

- Public Health, Welfare or Safety
- The Function of Government
- Preservation or Protection of Property

Examples

- War
- Civil / Labor Unrest
- Extreme Weather
- Loss of Power, Water, Communications
- Epidemic / Pandemic
- Natural Disaster
- etc.

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Competition Impracticable

Purpose

Authorization to enter into a contract with less competition than normal due to an emergency

Benefits

Administrative efficiency; no wasted efforts conducting more competition than is beneficial

Risks

Exposure to recourse from parties inappropriately excluded from competition

Frequency

Infrequent, an exception and not the rule

R.O.T.

“No benefit to compete fully – document evidence and seek reasonable competition”

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Competition Impracticable

Criteria

Seeking normally required competition is:

- Impracticable
- Unnecessary
- Contrary to the Public Interest

Examples

- Urgency of Need (non-emergencies)
- Follow-on Maintenance or Support
- Upgrading / Expanding an Installed Item
- Creating an Interim Contract between Contract terms to ensure continuity of services
- Unique / Rare / Highly Specialized Experience
- etc.

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1. Source Selection

Existing or New Contract;
Full, Limited or Special

2. Limited Competition

None, Adequate or Minimal

3. Sole Source

“No one to compete with –
document evidence”

4. Emergency

“No time to compete fully –
seek reasonable competition if
possible, document afterwards”

5. Competition Impracticable

“No benefit to compete fully –
document evidence and seek
reasonable competition”

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Questions

Any:

- Discussions
- More Examples
- Questions
- Comments
- Personal Experiences
- Warnings...

ARIZONA STATE CAPITOL CHAPTER
18TH ANNUAL REGIONAL CONFERENCE

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